

STANDING CHAPTER 13 TRUSTEE ALJUANRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

LUIS NORBERTO SOTO

Case No. 19-02047-ESL

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO\*

<b>I. Appearances</b> Debtor <span style="margin-left: 40px;"><input type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Absent</span> Joint Debtor <span style="margin-left: 40px;"><input type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span> Attorney for Debtor <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 40px;"><input type="checkbox"/> Absent</span> <input type="checkbox"/> Prose <input checked="" type="checkbox"/> Appearing: Roberto Figueroa Carrasquillo, Esq.	Date & Time: 8/1/2019 9:45:00AM <input checked="" type="checkbox"/> R <span style="margin-left: 20px;"><input type="checkbox"/> NR</span> LV: <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">           Americas Leading Finance- Kiara de Jesus, Esq.         </div>
<b>II. Oath Administered</b> <span style="margin-left: 40px;"><input type="checkbox"/> Yes</span> <span style="margin-left: 40px;"><input checked="" type="checkbox"/> No</span>	
<b>III. Plan</b> Date: 07/02/2019 Base: \$11,400.00 Payments 1 made out of 3 due. Confirmation Hearing Date: 7/3/2019 9:30:00AM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) <div style="margin-top: 10px;">           \$3,000.00 - \$300.00 = \$2,700.00         </div>	
<b>IV. Status of Meeting</b> <input type="checkbox"/> Closed <span style="margin-left: 20px;"><input checked="" type="checkbox"/> Not Held</span> <span style="margin-left: 20px;"><input type="checkbox"/> Held/Continued</span> <input type="checkbox"/> Held/Not Closed  <input type="checkbox"/> Continued Continued Date: Comments:	
<input checked="" type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input checked="" type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input checked="" type="checkbox"/> Keep payments current <input checked="" type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☐ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☐ Tax returns missing
  - ☐ State - years
  - ☐ Federal - years

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
  - ☐ Premises
  - ☐ Vehicle(s):
  - ☐ Licenses issued by:

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Trustee's objection to confirmation

- ☐ Objection to Confirmation  
☐ Oral objection by creditor

This is the third scheduling of the meeting of creditors and it could not be held since debtor was not present. Counsel stated that he has lost contact with the debtor. Debtor is also in arrears with plan payments and has not presented evidence of having paid the post-petition DSO payments. Based on the above, trustee will file motion to dismiss.

1. DOMESTIC SUPPORT OBLIGATION, (Post-petition §1325(a)(8)):

- a. Debtor has 2 DSO's both paid directly to recipient and are non-court ordered. He pays Total of \$792.56 monthly. Per Bankruptcy Code, as of the confirmation hearing date, he must file evidence with the court of being current in the DSO payments that became due post-petition.
- b. Debtor to segregate DSO payment: What amount is paid to each DSO claimant.

2. DOES NOT PROVIDE FOR SECURED CREDITOR, §1325(a)(5):

- a. Amended poc #1 disclosed post-petition arrears for \$3,046.60. Plan does not provide for this post-petition arrears. Debtor has the total amount of \$7,616.50

3. FEASIBILITY, 11 USC §1325 (a)(6):

Debtor(s) has/have 2 months in arrears with the plan payments, \$380.00.

4. OTHER:

- a. Income evidence missing: from the 60 day prior to filing period: first 3 weeks of February. For the 6-month period; All.
- b. Provide income evidence for commissions based on income commencing May/2019 and car allowance for \$450.00.

The following party(ies) object(s) confirmation:

s/Miriam Salwen

Trustee/Presiding Officer

Date: 08/01/2019

(Rev. 05/13)